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*Attorneys for Plaintiff Blendtec Inc.*

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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**BLENDTEC INC.**, a Utah corporation,  
  
Plaintiff,

vs.

**BLENDJET INC.**, a Delaware corporation,  
  
Defendant.

**BLENDTEC’S REQUEST TO SUBMIT  
MOTION TO CONSOLIDATE [DKT.  
NO. 200] FOR DECISION**

Civil No. 2:21-cv-00668-TC-DBP  
Judge Tena Campbell  
Magistrate Judge Dustin B. Pead

Pursuant to DUCIVR 7-3(b), Plaintiff Blendtec Inc. (“Blendtec”) respectfully requests that the Motion to Consolidate be submitted for decision. In support of this request, Blendtec states as follows:

1. On February 20, 2025, Blendtec filed a Motion to Consolidate (Dkt. No. 200) seeking to consolidate the related case filed as Civil No. 2:25-cv-00096-RJS-DBP (the “2025 Action”) into the above captioned first-filed case on the ground that the actions “present essentially the same trademark infringement lawsuit involving identical trademarks.” (Dkt. No. 200 at p. 1).

2. On February 20, 2025, Blendtec filed a Notice of Filing of Motion to Consolidate

in the 2025 Action. (*See* 2025 Action at Dkt. No. 17).

3. On March 7, 2025, the Court entered an Order on a stipulated motion for extension of time which extended the deadline for Blendjet to respond to the Motion to Consolidate to March 27, 2025. (*See* Dkt. No. 203).

4. On April 10, 2025, the Court entered an Order granting Blendjet an additional 30-day extension of its time to file a response to the Motion to Consolidate. (*See* Dkt. No. 208). This extended the deadline for Blendjet to respond to April 28, 2025.

5. On April 11, however, the Court entered an Order on Blendjet's Motion for Withdrawal of Counsel. Pursuant to that Order, the Court stayed this action until 21 days after entry of the Order. Thus, the stay effectively extended Blendjet's deadline to respond to the Motion to Consolidate to May 2, 2025. (*See* Dkt. No. 209).

6. On May 1, 2025, Mavorco Holding, LLC, Mavorco IP, LLC, and Mavorco Operations, LLC (collectively "Mavorco"), Defendants in the 2025 Action that purchased all assets of Blendjet in January of 2025, including the trademarks at issue in this lawsuit, filed a Non-Opposition to Plaintiff's Motion to Consolidate. (*See* 2025 Action at Dkt. No. 53). In its Non-Opposition, Mavorco agreed that the 2025 Action asserts "trademark infringement claims that are nearly identical to those in the 2021 Action," and stated that it "does not oppose the Motion to Consolidate." (*Id.* at ¶10).

7. The deadline of May 2, 2025, for Blendjet to respond to the Motion to Consolidate has passed and Blendjet failed to respond. As such, the Motion to Consolidate is unopposed.

8. No party has requested a hearing on the Motion to Consolidate.

9. Accordingly, Blendtec respectfully requests that the Motion to Consolidate be

submitted for decision and granted as unopposed.

DATED this 5th day of May, 2025.

DORSEY & WHITNEY LLP

/s/ Tamara L. Kapaloski  
Brett Foster (#6089)  
Tamara L. Kapaloski (#13471)  
*Attorneys for Plaintiff Blendtec Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on 5th day of May, 2025, a true and correct copy of the foregoing was served on counsel of record via the Court's CM/ECF system.

/s/ Tamara L. Kapaloski